

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 13902.27	FOR FURTHER ACTION	See item 4 below
International application No. PCT/CA2006/000086	International filing date (<i>day/month/year</i>) 24 January 2006 (24.01.2006)	Priority date (<i>day/month/year</i>) 24 January 2005 (24.01.2005)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant OZ COMMUNICATIONS INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 July 2007 (24.07.2007)
Facsimile No. +41 22 338 82 70	Authorized officer <p style="text-align: center; font-weight: bold;">Athina Nickitas-Etienne</p> e-mail: pt04.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
GOUDREAU GAGE DUBUC
Tour de la Bourse
Bureau 3400
C.P. 242, 800 Place-Victoria
MONTREAL, Quebec
Canada, H4Z 1E9

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing 1 May 2006 (01-05-2006)
(day/month/year)

Applicant's or agent's file reference
HM/13902.27

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/CA2006/000086

International filing date (day/month/year)
24 January 2006 (24-01-2006)

Priority date (day/month/year)
24 January 2005 (24-01-2005)

International Patent Classification (IPC) or both national classification and IPC
IPC: *H04L 12/66* (2006.01), *H04Q 7/22* (2006.01), *H04L 12/54* (2006.01)

Applicant
OZ COMMUNICATIONS ET AL

1. This opinion contains indications relating to the following items :

- | | | |
|---|--------------|--|
| <input checked="" type="checkbox"/> [X] | Box No. I | Basis of the opinion |
| <input type="checkbox"/> [] | Box No. II | Priority |
| <input type="checkbox"/> [] | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> [] | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> [X] | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> [] | Box No. VI | Certain documents cited |
| <input type="checkbox"/> [] | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> [X] | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/CA
Canadian Intellectual Property Office
Place du Portage I, C114 - 1st Floor, Box PCT
50 Victoria Street
Gatineau, Quebec K1A 0C9
Facsimile No.: 001(819)953-2476

Date of completion of this opinion

13 April 2006 (13-04-2006)

Authorized officer

Arthur Smith (819) 953-1360

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/CA2006/000086

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ on paper

☐ in electronic form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in electronic form

☐ furnished subsequently to this Authority for the purposes of search.

3 ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statement that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments :

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/CA2006/000086

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-37</u>	YES
	Claims <u>None</u>	NO
Inventive step (IS)	Claims <u>1-37</u>	YES
	Claims <u>None</u>	NO
Industrial applicability (IA)	Claims <u>1-37</u>	YES
	Claims <u>None</u>	NO

2. Citations and explanations :

1.0 The following document is referred to in this communication:
D1 US 2004/0249892 A1

1.1 D1 is considered to form the closest prior art. D1 describes methods and devices for improved security in the transmission over an air interface of multi-content e-mail from an e-mail server to a mobile client, including generation of an e-mail descriptor file by the e-mail server comprising descriptions of the content parts of a larger, possibly multi-content, e-mail including parts stored remotely. The descriptor file is transmitted to the mobile client as a separate e-mail. After receiving the descriptor file, the mobile client analyzes the contents and requests download of only those parts of the larger e-mail that can be efficiently transferred over the air interface, and that can be processed by the mobile client considering limitations to its processing capacity.

Novelty

2.0 The common elements of independent claims 1, 10, 15, 25, and 35 include compiling, by a gateway, e-mail related information from an e-mail server into a single, self-contained response for transmission to an e-mail client. D1 fails to teach a separate gateway and does not include steps to retrieve the e-mail information from the e-mail server. Furthermore, D1 fails to teach a stateless interface interconnected with the wireless network, a channel management function, or a logging function for logging the e-mail data traffic between a wireless mobile device and an e-mail server. Thus, claims 1-37 **are considered to be novel** in accordance with Article 33(2) PCT.

Inventive Step

3.0 As stated above, D1 fails to teach a separate gateway and does not include steps to retrieve e-mail information from the e-mail server. D1 fails to teach the additional details of each of independent claims 1, 10, 15, 25, and 35, and, therefore, claims 1-37 **are considered to have inventive step** in accordance with Article 33(3) PCT.

Industrial Applicability

4.0 Wireless e-mail systems find use in computer communication systems and, thus, claims 1-37 **are industrially applicable** in accordance with Article 33(4) PCT.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/CA2006/000086

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made :

Description-Related Objections

The description does not comply with PCT Article 5. Statements in an application, such as found on page 2, lines 8 and 20, which incorporate by reference any other document do not fully describe the invention. The description shall be complete in and of itself. A person skilled in the art should be able to understand the patent specification without reference to any other document.

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(PCT Rule 43*bis*.1)

Date of mailing (day/month/year)	1 May 2006 (01-05-2006)
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	Claims <u>None</u>	NO

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Novelty

2.0 The common elements of independent claims 1, 10, 15, 25, and 35 include compiling, by a gateway, e-mail related information from an e-mail server into a single, self-contained response for transmission to an e-mail client. D1 fails to teach a separate gateway and does not include steps to retrieve the e-mail information from the e-mail server. Furthermore, D1 fails to teach a stateless interface interconnected with the wireless network, a channel management function, or a logging function for logging the e-mail data traffic between a wireless mobile device and an e-mail server. Thus, claims 1-37 **are considered to be novel** in accordance with Article 33(2) PCT.

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